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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	
DANIEL ROMERO and JOANN RAGUSA,	:
<i>Plaintiffs,</i>	:
-against-	:
BORDEN EAST RIVER REALTY LLC and	:
JOSEPH SIMONE,	:
<i>Defendants.</i>	:
-----X	
WILLIAM LEE and SZUYU PAN,	:
<i>Plaintiffs,</i>	:
-against-	:
BORDEN EAST RIVER REALTY LLC and	:
JOSEPH SIMONE,	:
<i>Defendants.</i>	:
-----X	
KYUNG YEOL SHIN,	:
<i>Plaintiff,</i>	:
-against-	:
BORDEN EAST RIVER REALTY LLC and	:
JOSEPH SIMONE,	:
<i>Defendants.</i>	:
-----X	
LORA KAYE,	:
<i>Plaintiff,</i>	:
-against-	:
BORDEN EAST RIVER REALTY LLC and	:
JOSEPH SIMONE,	:
<i>Defendants.</i>	:
-----X	

Civ. No.: 09 Civ. 665 (ARR)

**DECLARATION OF
LAWRENCE C. WEINER**

Civ. No.: 09 Civ. 1721 (ARR)

Civ. No.: 09 Civ. 845 (ARR)

Civ. No.: 09 Civ. 1228 (ARR)

-----X	
JOHN GAENZLER and SARA MOSCOSO-	:
GAENZLER,	:
	:
<i>Plaintiffs,</i>	:
	:
-against-	:
BORDEN EAST RIVER REALTY LLC and	:
JOSEPH SIMONE,	:
	:
<i>Defendants.</i>	:

Civ. No.: 09 Civ. 1303 (ARR)

-----X

ANTHONY ALLICINO,

Plaintiff,

- - -against-

BORDEN EAST RIVER REALTY LLC and
JOSEPH SIMONE,

Defendants.

Civ. No.: 09 Civ. 1455 (ARR)

-----X	
JULIE and DAVID LIEVRE,	:
	:
<i>Plaintiffs,</i>	:
	:
-against-	:
	:
BORDEN EAST RIVER REALTY LLC and	Civ. No.: 09 Civ. 1984 (ARR)
JOSEPH SIMONE,	:
	:
<i>Defendants.</i>	:

-----X
ZACK FERGUSON-STEGER, :
 :
 Plaintiff, :
 :
 -against- :
 : Civ. No.: 09 Civ. 1196 (ARR)
 BORDEN EAST RIVER REALTY LLC and :
 :
 JOSEPH SIMONE, :
 :
 Defendants. :

I, LAWRENCE C. WEINER, of full age, hereby declare as follows:

1. I am an attorney-at-law admitted in the State of New York and the Eastern District of New York and am a Shareholder of the law firm of Wilentz, Goldman & Spitzer, P.A., attorneys for the plaintiffs in the above-captioned consolidated matters. The facts set forth

herein are true to the best of my personal knowledge or based upon the documents maintained in my file in the ordinary course of business.

2. Annexed hereto as Exhibit 1 is a copy of a Complaint filed by Plaintiffs, Julie and David Lievre (the "Lievres") in Civ. No. 09 Civ. 1984 (ARR).

3. Annexed hereto as Exhibit 2 is a copy of Defendants' Answer to the Lievres' Complaint.

4. Annexed hereto as Exhibit 3 is a copy of the Purchase Agreement executed by the Lievres.

5. Annexed hereto as Exhibit 4 is a copy of the rescission letter sent out on behalf of the Lievres.

6. Annexed hereto as Exhibit 5 is the Purchase Agreement executed by plaintiffs, Daniel Romero and Joann Ragusa.

7. Annexed hereto as Exhibit 6 is the rescission letter sent out on behalf of plaintiffs, Daniel Romero and Joann Ragusa.

8. Annexed hereto as Exhibit 7 is the Purchase Agreement executed by plaintiffs, William Lee and Szuyu Pan.

9. Annexed hereto as Exhibit 8 is the rescission letter sent out on behalf of plaintiffs, William Lee and Szuyu Pan.

10. Annexed hereto as Exhibit 9 is the Purchase Agreement executed by plaintiff, Kyung Yeol Shin.

11. Annexed hereto as Exhibit 10 is the rescission letter sent out on behalf of plaintiff, Kyung Yeol Shin.

12. Annexed hereto as Exhibit 11 is the Purchase Agreement executed by plaintiff, Lora Kaye.

13. Annexed hereto as Exhibit 12 is the rescission letter sent out on behalf of plaintiff, Lora Kaye.

14. Annexed hereto as Exhibit 13 is the Purchase Agreement executed by plaintiffs, John Gaenzler and Sara Moscoso-Gaenzler.

15. Annexed hereto as Exhibit 14 is the rescission letter sent out on behalf of plaintiffs, John Gaenzler and Sara Moscoso-Gaenzler.

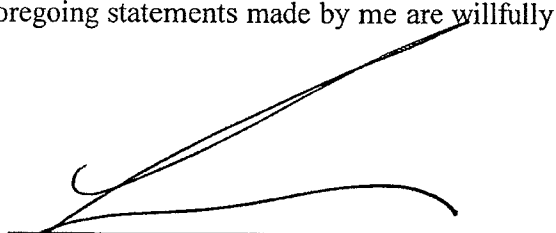
16. Annexed hereto as Exhibit 15 is the Purchase Agreement executed by plaintiff, Anthony Allicino.

17. Annexed hereto as Exhibit 16 is the rescission letter sent out on behalf of plaintiff, Anthony Allicino.

18. Annexed hereto as Exhibit 17 is the Purchase Agreement executed by plaintiff, Zack Ferguson-Steger.

19. Annexed hereto as Exhibit 18 is the rescission letter sent out on behalf of plaintiffs, Zack Ferguson-Steger.

I hereby declare that under the penalty of perjury that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



LAWRENCE C. WEINER

Dated: December 4, 2009